

PATENT COOPERATION TREATY
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
 (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 346917/D21749	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/003171	International filing date (<i>day/month/year</i>) 09.12.2004	Priority date (<i>day/month/year</i>) 10.12.2003
International Patent Classification (IPC) or national classification and IPC B60J5/14		
Applicant PEGUFORM FRANCE		

<ol style="list-style-type: none"> 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of 6 sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of 3 sheets, as follows: <table border="0" style="width: 100%;"> <tr> <td style="width: 15px;"><input checked="" type="checkbox"/></td> <td style="width: 85%;">sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</td> </tr> <tr> <td><input type="checkbox"/></td> <td>sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</td> </tr> </table> b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 	<input checked="" type="checkbox"/>	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).	<input type="checkbox"/>	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.												
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<ol style="list-style-type: none"> 4. This report contains indications relating to the following items: <table border="0" style="width: 100%;"> <tr> <td style="width: 15px;"><input checked="" type="checkbox"/></td> <td>Box No. I Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII Certain observations on the international application</td> </tr> </table> 	<input checked="" type="checkbox"/>	Box No. I Basis of the report	<input type="checkbox"/>	Box No. II Priority	<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI Certain documents cited	<input type="checkbox"/>	Box No. VII Certain defects in the international application	<input type="checkbox"/>	Box No. VIII Certain observations on the international application
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Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/FR2004/003171

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

 - international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished
 the description:
 pages 1-8 _____ as originally filed/furnished
 pages* _____ received by this Authority on _____
 pages* _____ received by this Authority on _____
 the claims:
 nos. _____ as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19
 nos.* 1-16 received by this Authority on 13.02.2006 with letter of 09.02.2006
 nos.* _____ received by this Authority on _____
 the drawings:
 sheets 1/3-3/3 _____ as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ received by this Authority on _____
 a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	International application No. PCT/FR2004/003171
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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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1. Statement

Novelty (N)	Claims	1–16	YES
	Claims	_____	NO
Inventive step (IS)	Claims	1–16	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	1–16	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: EP-A-1 270 297 (PEUGEOT CITROEN SA) 2 January 2003 (2003-01-02)
- D2: GB-A-2 121 855 (ROLFLEX DOORS LIMITED) 4 January 1984 (1984-01-04)
- D3: DE 31 04 048 A (CLAUSS MARKISEN) 19 August 1982 (1982-08-19)
- D4: US-A-3 967 671 (BIBEAULT LIONEL J ET AL) 6 July 1976 (1976-07-06)
- D5: FR-A-2 643 938 (SNARLI ROGER) 7 September 1990 (1990-09-07)
- D6: DE 38 28 663 A (MACHILL ROLF) 23 March 1989 (1989-03-23)
- D7: WO 92/14900 A (CLOPAY CORP) 3 September 1992 (1992-09-03)
- D8: US-A-2 886 481 (DEWEY SWAN GEORGE) 12 May 1959 (1959-05-12)

2.1 Independent claim 12.1.1 Novelty

D2, which is considered to be the prior art closest to the subject matter of claim 1, describes:

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Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

- a vehicle coachwork part, particularly a tailgate (roller shutter), including a body (sheet 12) and a metal layer (panel structure 10) visible from an external side of the part.

The subject matter of claim 1 differs from this known coachwork part in that:

- the body includes reinforcing fibres.

Since the subject matter of claim 1 is novel over the prior art as defined in the regulations (PCT Rule 64(1) to (3)), the present application appears to meet the requirements of PCT Article 33(2).

2.1.2 Inventive step

The problem that the present invention is intended to solve can be considered to be that of reinforcing a coachwork part.

D2, which is considered to be the prior art closest to the subject matter of claim 1, describes a tailgate reinforced with a metal layer.

D1 describes a fibre-reinforced plastic tailgate.

However, a person skilled in the art would not combine the two reinforcing systems to obtain a reinforced part without exercising inventive skill, since the tailgate is effectively reinforced either with the metal layer or with the fibre-reinforced plastic.

Consequently, the solution proposed in claim 1 of the present application appears to meet the requirements of PCT Article 33(3).

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2.2 Independent claim 7

2.2.1 Novelty

D2, which is considered to be the prior art closest to the subject matter of claim 7, describes:

- a method for producing a vehicle coachwork part.

The subject matter of claim 7 differs from this known production method in that:

- a layer of the body and a metal layer are stacked in a forming mould so that the metal layer is visible from an external side of the part, and a forming operation is then performed on the stack in the mould.

Since the subject matter of claim 7 is novel over the prior art as defined in the regulations (PCT Rule 64(1) to (3)), the present application appears to meet the requirements of PCT Article 33(2).

2.2.2 Inventive step

The problem that the present invention is intended to solve can be considered to be that of producing a coachwork part that is incorporated in the aesthetics of the vehicle.

The solution to this problem, as proposed in claim 7 of the present application, is considered to involve an inventive step (PCT Article 33(3)), since none of the cited documents describes production methods including a forming operation, and it is not obvious for a person skilled in the art to include such an operation in one of the methods described in said documents to solve the stated problem.

2.3 Dependent claims 2 to 6 and 8 to 16

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Dependent claims 2 to 6 and 8 to 16, which contain modifications or improvements to the invention according to claims 1 and 7, meet the requirements of PCT Article 33(2) to (4).

2.4 General observations

The expression "the adhesive-backed sheet metal referred to as "solbond" distributed by the company Arcelor" appears on page 5 of the description. The use of proper names or similar words to refer to materials or articles is undesirable insofar as such words merely denote origin or where they relate to a range of different products.

If such a word is used, then in order to satisfy the requirements of Article 5, the product should normally be sufficiently identified, without reliance on the word, to enable the invention to be carried out by a person skilled in the art. However, where such words have become internationally accepted as standard descriptive terms and have acquired a precise meaning (for example, "Bowden" cable, "Belleville" washer), they may be allowed without further identification of the product to which they relate. (PCT/GL/ISPE1, 4.25).